

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6191**

**BILL NUMBER:** HB 1066

**NOTE PREPARED:** Nov 14, 2005

**BILL AMENDED:**

**SUBJECT:** Spotlighting Wild Animals.

**FIRST AUTHOR:** Rep. Cherry

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill provides that a person who, between October 1 and January 15, shines a spotlight, searchlight, or other artificial light upon a wild animal for the purpose of locating a wild animal commits a Class C infraction. It establishes certain exceptions.

The bill also requires a court to revoke for two years the hunting, fishing, and trapping licenses of a person who commits a second infraction of shining a light on a wild bird or wild animal. The bill provides that a law enforcement officer who witnesses a person in a vehicle shining a light upon a wild bird or wild animal in a prohibited manner may search the vehicle for a firearm, bow, or crossbow. The bill allows a court to revoke certain fish and wildlife licenses for two years for a violation of a wildlife protection law.

**Effective Date:** July 1, 2006.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** Because a license must be renewed annually, only a lifetime license could be suspended for more than one year. An annual license could be suspended for a year. In order to prevent an individual with an annual license that has been suspended from obtaining another license during the second year, the DNR would have to be notified to not issue a license to an individual whose license has been suspended during the prior year. An annual license could not be suspended for the second year because the license expires after one year.

IC 14-22-12-7 provides that the DNR could issue lifetime licenses before July 1, 2005. Prior to July 2005, the

DNR sold over 42,000 lifetime licenses. In 2001, 1,547 lifetime licenses were sold. In 2002, over 21,000 were sold after a fee increase was passed by the Natural Resources Commission in 2001. In 2002, 579 lifetime licenses were sold. In 2003, 668 licenses were sold.

There are no data available to indicate how many people may be convicted of a Class C infraction for shining an artificial light for the purpose of locating a wild animal. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Bernadette Bartlett, 317-232-9586.